

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA,

VS.

DEWAYNE MAXWELL,

Defendant

NO. 5: 06-CR-75 (WDO)

RE: Violation of Conditions of Release

ORDER OF REVOCATION AND DETENTION

Defendant, **DEWAYNE MAXWELL**, represented by legal counsel Mr. John R. Francisco of the Macon Bar, this day appeared before the undersigned for a hearing under provisions of 18 U.S.C. §3148 on the motion of the United States seeking revocation of this court's order of August 15, 2006, setting conditions for his pretrial release. Based upon the evidence presented and legal argument made, the court finds:

LEGAL FINDINGS

(1) there is probable cause to believe that the defendant has committed a federal, state, or local crime while on release by committing the state offense of AGGRAVATED ASSAULT on or about December 23, 2006; and,

(2) based on the factors set forth in 18 U.S.C. §3142(g), there is no condition or combination of conditions of release which will assure that defendant Maxwell will not pose a danger to the safety of any other person or the community: the defendant was arrested on January 4, 2007 for firing two shots at a victim, one of which struck the victim in the right hand.

FINDINGS OF FACT

Appearing this day in Open Court with legal counsel, defendant Maxwell did not contest the allegation set forth in the Petition for Action on Conditions of Pretrial Release.

ACCORDINGLY, IT IS ORDERED AND DIRECTED that the court's **ORDER OF RELEASE** entered August 15, 2006, be, and it is, **REVOKED**. The defendant is ordered **DETAINED** and is hereby committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 16th day of JANUARY, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE